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- Φ Admitted in NJ, NY, PA, TX & DC
- D Admitted in NJ, NY, PA & TX
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to Oct. 24, 2024 At 11:45 AM

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Δ Admitted in NJ & NY

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8/28/24 Conference rescheduled

MEMO ENDORSEL

MEETINGS BY APPOINTMENT ONLY

August 27, 2024

VIA ECF

Honorable Colleen McMahon, U.S.D.J.
United States District Court
Southern District of New York
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, New York 10007

Re:

Scott Cawthon v. Vu the Long, et al.;

Docket No.: 1:23-cv-10374

Dear Judge McMahon:

Our firm represents plaintiff Scott Cawthon ("Plaintiff") in the above-captioned matter. We write regarding the pretrial conference currently scheduled for September 5, 2024 at 10:00 a.m.

Moreover, we have been in contact with the defendants Vu the Long a/k/a Long Vu and XSmart Global ("**Defendants**") counsel, Mr. Steven M. Zeller, Esq. of Dykema Gossett PLLC, and are still discussing settlement of this matter. Nevertheless, the defendants have not formally appeared in this matter. Accordingly, the pretrial conference would likely not be worthwhile at this time. Plaintiff intends to move forward with default if we are unable to settle the matter shortly.

Accordingly, we respectfully request that the Court adjourn the September 5th conference to a date that is convenient for the Court or otherwise set a deadline for Plaintiff to request default.

Thank you for your time and attention to this matter.

Respectfully submitted,

NISSENBAUM LAW GROUP, LLC

BY: Anthony C. Gunst NV
Anthony C. Gunst, IV